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BEFORE THE
Federal Communications Commission
WASHINGTON, D. C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re)
)
Amendment of 47 CFR §73.202(b),) MM Docket No. 97-168
FM Table of Allotments) RM-9103
(Arcadia, Missouri))

TO: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

**COMMENTS IN SUPPORT OF
NOTICE OF PROPOSED RULEMAKING**

Iron County Broadcasting Company (ICBC), by its attorney, hereby respectfully submits these Comments in support of the **Notice of Proposed Rulemaking** in the above-entitled proceeding, DA 97-1599, 12 FCC Rcd --, released August 1, 1997. ICBC hereby supports the Commission's proposal to amend its FM Table of Allotments, 47 C.F.R. §73.202(b), in the following respect:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Arcadia, Missouri	- -	269A

In support whereof, the following is shown:

1. **Statement of Interest**. ICBC hereby incorporates by reference all facts, circumstances and arguments stated in its "Petition for Rulemaking". In the event that Channel

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269A is allocated to Arcadia, ICBC will file an application with the Commission for a construction permit for a new FM Broadcast Station on Channel 269A at Arcadia. In the event that such application is granted, ICBC would construct and operate the resulting FM station.

2. Availability of Transmitter Site. In paragraph 3 of the *Notice of Proposed Rulemaking*, the Commission requested ICBC "to provide information showing that an actual transmitter site is available that provides city grade coverage to Arcadia". There is privately owned land in Section 8 of Iron County's Liberty Township (T. 32 N, R. 4 E), which is fully spaced to WLPW(FM), Union, Missouri and will permit the provision of city-grade coverage of Arcadia. A showing to this effect by consulting engineer R. Lee Wheeler is appended hereto as Exhibit A. The "plat map" included in this showing demonstrates that there is a substantial amount of privately owned land in the area of the new "reference coordinates" of North 37° 28' 31" Latitude, West 90° 37' 15" Longitude.

3. Conclusion. Arcadia, Missouri has no aural broadcast station at present, and the allocation of Channel 269A there would provide the community with a first local broadcast outlet of self-expression, which is a primary

objective of 47 U.S.C. §307(b), the statute that calls for broadcast stations to be distributed among the states and communities in a "fair, efficient and equitable manner". There are privately-owned parcels of land available for the construction of a Channel 269A transmitter site which are fully-spaced to all existing stations and pending applications and which can provide predicted city-grade coverage to all of Arcadia. Furthermore, the allocation of Channel 269A would provide for a new FM station which would provide a second aural service to portions of southern Missouri. These are all public interest reasons why this petition should be granted and Channel 269A allocated to Arcadia, Missouri.

WHEREFORE, Iron County Broadcasting Company urges that the Commission allocate FM Channel 269A to Arcadia, Missouri.

Respectfully submitted,

IRON COUNTY BROADCASTING COMPANY

By

A handwritten signature in cursive script, appearing to read "D. Kelly", written over a horizontal line.

Dennis J. Kelly
(D. C. Bar #292631)
Its Attorney

LAW OFFICE OF DENNIS J. KELLY
Post Office Box 6648
Annapolis, MD 21401
Telephone: 888-322-5291

September 22, 1997

EXHIBIT A



WHEELER BROADCAST CONSULTING

Iron County Radio Company

Comments in RM-9103

This consultant has been retained by Iron County Radio Company (Iron County) to provide technical support to comments in RM-9103. Iron County is the petitioner in this Rule Making proceeding.

In the Commission's release of the NPRM it was noted that both the allocation reference site and the City of Arcadia are located in the Mark Twain National Forest and the Taum Sauk Mountain State Park and, as such, it was requested that the petitioners provide information pertaining to the availability of potential transmitter sites that would provide 70 dBu coverage of Arcadia, Missouri.

In order to locate an appropriate transmitter site the petitioner acquired an Iron County plat book and visited several, privately owned, parcels of land in the area. Although the entire area is within the area called the Mark Twain National Forest the property owned by the United States Government is interspersed with an extraordinary amount of privately owned property. From a combination of the Iron County plat book and available¹ USGS 7½' a privately owned property that meets the minimum distance requirements of 47 CFR 73.207 as well as the principal community coverage requirements of 47 CFR 73.315(a) was selected. The property itself is located in Township 32 North, Range 4 East, Section 8. A copy of the Liberty Township, S.E. plat map, showing that the property is privately owned, is included in this report as Exhibit 1 and a copy of the appropriate portion of the Des Arc, N.E. USGS Topographic quadrangle, identifying the site, is included in this report as Exhibit 2.

RODNEY MARTINEY
JULIE TAYLOR
WHEELER BROADCAST CONSULTING
1000 JONES BLVD
WHEELER, MO 64687

¹ Due to the stock of available maps in the area the search area was limited to sites located on the Des Arc, N.E., Glover, and Ironton quadrangles.

Engineering Report
Exhibit 2

The coordinates of the site are N 37° 28' 31" by W 90° 37' 15" which is fully compliant with the minimum distance requirements of 47 CFR 73.207. A copy of a search of the Commission's September 19, 1997 FM database, demonstrating that the facility would be fully spaced, is included in this report as Exhibit 3. The site has an elevation of 1,480 feet (451.1 meters) AMSL and the standard, eight radial, average terrain from this point is 298.4 meters. As such, a standard 6 kW at 100m HAAT facility, would actually be subterranean. For the purposes of this study a 150' (45.7 meter) tower was assumed which raises the antenna height to a level of 198.4 meters HAAT. As that HAAT is well in excess of the standard 100m HAAT normally associated with a Class A facility the ERP of the hypothetical station was reduced to 1.49 kW so as to match the 28 km distance to the predicted 60 dBu contour of a Class A reference facility. From that site the predicted 70 dBu contour was plotted on a digitally generated map along with the corporate boundaries of Arcadia, Missouri. A copy of that map is included in this report as Exhibit 4. As shown in Exhibit 4, the entire community of Arcadia would receive a predicted signal in excess of 70 dBu.

All information contained in this report is true and accurate to the best of my belief. Having had numerous matters before the Commission, my qualifications are a matter of record.

9/22/97
Date

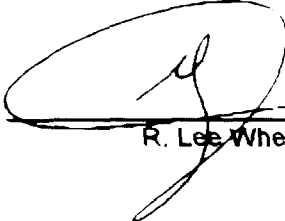
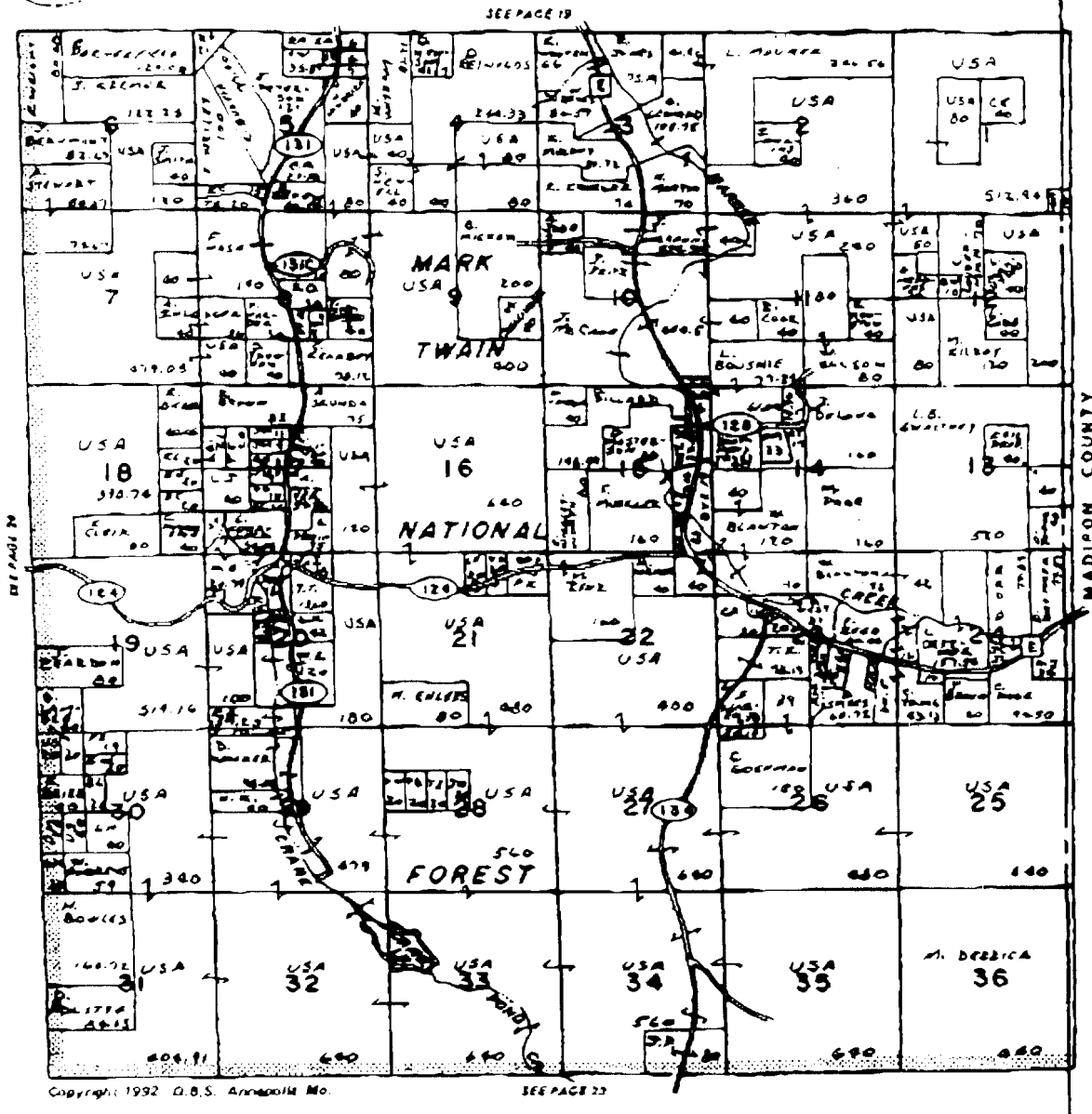

R. Lee Wheeler

Exhibit 1

LIBERTY TWP 3E

T.32N. - R.4E



DEPARTMENT OF THE INTERIOR

GEOLOGICAL SURVEY

Exhibit 2

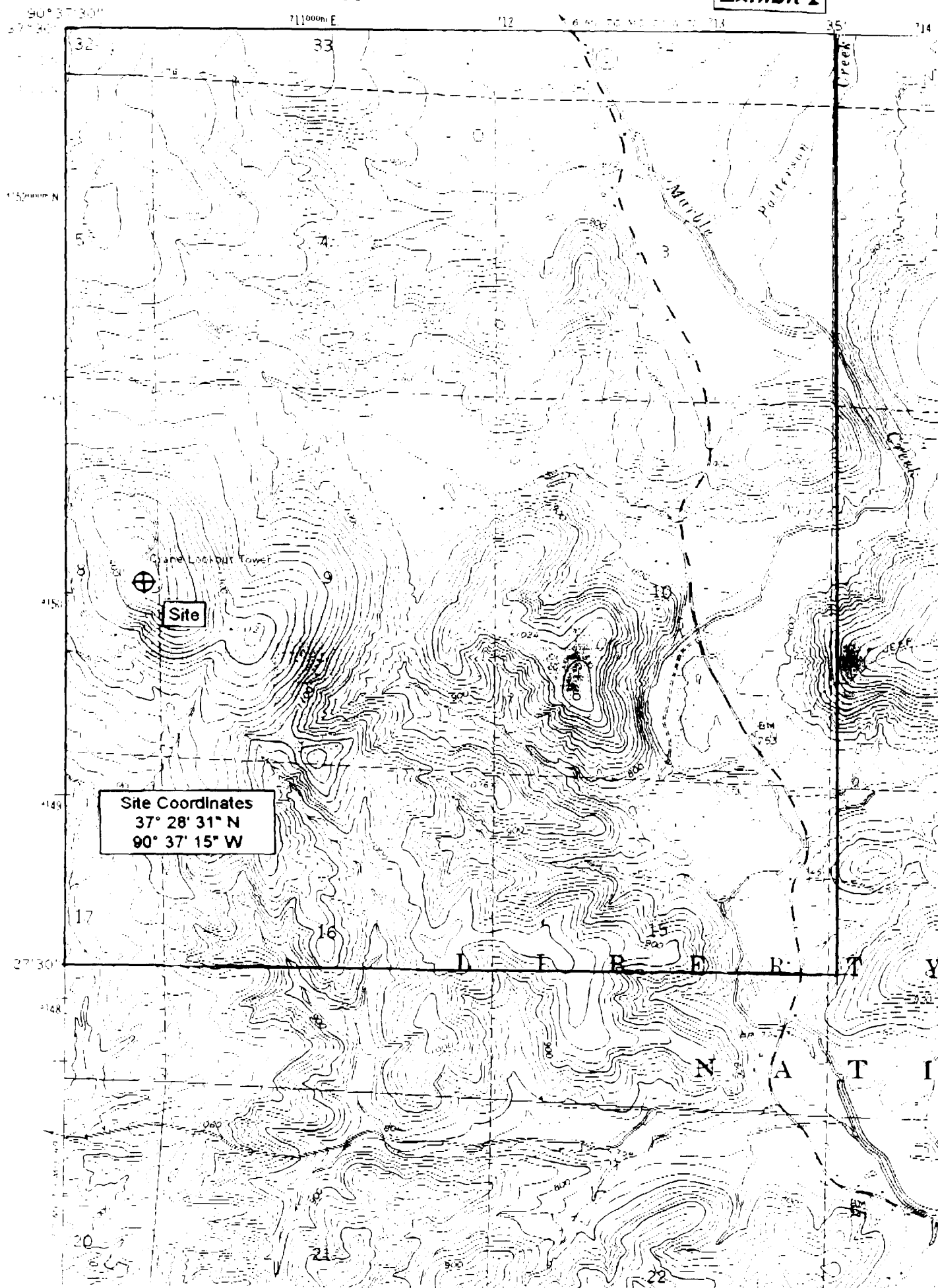


Exhibit 3

WHEELER BROADCAST CONSULTING
6025 Martway - Suite 112 - Mission KS 66202

Iron County Broadcasting Company
T-32, R-4, Sec. 8

REFERENCE	CLASS A	DISPLAY DATES
37 28 31 N		DATA 09-21-97
90 37 15 W	Current rules spacings	SEARCH 09-22-97
----- CHANNEL 269 -101.7 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AD269	269A	Arcadia	MO	47.1	7.36	115.0	-107.64 *
AD	37 31 13	90 33 35	0.000 kW	0M	4.6	71.5	
	Iron County Broadcasting Comp				RM9103		970515
>Site Restriction 9.7km Southeast							
KLPWFM	269A	Union	MO	341.8	117.78	115.0	2.78 <
AP CN	38 28 55	91 02 41	5.000 kW	107M	73.2	71.5	
	Virginia Broadcasting Corpora				BPH970228IB		
KLPW	269A	Union	MO	341.8	117.82	115.0	2.82 <
LI HN	38 28 57	91 02 39	2.100 kW	104M	73.2	71.5	
	Virginia Broadcasting Corpora				BLH3353		
KIYS	270C	Jonesboro	AR	182.3	168.96	165.0	3.96
LI CN	35 57 14	90 41 41	100.000 kW	323M	105.0	102.6	
	Duke Radio Broadcasting, Inc.				BLH910426KB		
WCILFM	268B	Carbondale	IL	76.6	123.60	113.0	10.60
LI CN	37 43 31	89 15 25	50.000 kW	107M	76.8	70.2	
	Lyle Broadcasting Corporation				BLH900904KA		
AP216	216C2	Park Hills	MO	8.1	36.53	15.0	21.53
AP CN	37 48 04	90 33 44	10.000 kW	175M	22.7	9.3	
	American Family Association				BPED960122MB		960822
AD270	270C1	Eldon	MO	293.0	172.66	133.0	39.66
AD	38 04 00	92 26 00	0.000 kW	0M	107.3	82.7	
	Lake Broadcasting Inc.				RM6701		
>Counterproposal in D89-120-Pet for Recon							

Exhibit 4

